

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, APRIL 28, 2010**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, April 28, 2010** in Council Chambers, at 11:10 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair  
The Honorable Ivory Lee Young, Jr.  
The Honorable Keisha Lance Bottoms  
The Honorable Howard Shook**

The following members were absent:

**The Honorable Cleta Winslow, Vice Chair  
The Honorable Carla Smith**

**As stated by Chairman Watson, Councilmember Smith was in the Transportation Committee meeting.**

Others present at the meeting were: Zoning Administrator Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Heymore and members of the public and Council staff.

**A. ADOPTION OF AGENDA - ADOPTION**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING**

**10-O-0646 ( 1 )**      An Ordinance by Zoning Committee to rezone property from  
**Z-10-07**                      the R-5 (Two-Family Residential) District to the PD-H  
                                    (Planned Development-Housing) District property located at  
                                    **943 Cherokee Avenue, SE**, fronting approximately 97 feet  
                                    on the west side of Cherokee Avenue at the southwest corner  
                                    of Kendrick Avenue.

Depth:	Approximately 137 Feet
Area:	Approximately 0.28 Acre
Land Lot:	42, 14 <sup>th</sup> District, Fulton County, Georgia
Owner:	Brett and Charles Smith and Paul Saros
Applicant:	Eric J. Kronberg
<b>NPU-W</b>	<b>Council District 1</b>

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING  
COMMITTEE**

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**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING (CONT'D)**

10-O-0647 ( 2)  
**Z-10-08**      An Ordinance by Zoning Committee to rezone property from the C-1 (Community Business) District to the C-2 (Commercial Service) District property located at **2443 Memorial Drive, SE**, fronting approximately 225 feet on the east side of Memorial Drive, beginning 225 feet from the southeast corner of Third Street.  
Depth:                      Approximately 200 Feet  
Area:                        Approximately 0.98 Acre  
Land Lot:                  181, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner:                     Marion L. Cooper  
Applicant:                Michael A. Edy  
**NPU-O                                      Council District 5**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

10-O-0648 ( 3)  
**Z-10-09**      An Ordinance by Zoning Committee to rezone property from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District property located at **972 Berne Street and 610 Vernon Avenue, SE**, fronting approximately 50 feet on the north side of Berne Street, beginning approximately 223 feet from the northeast corner of Vernon Avenue.  
Depth:                      Approximately 349 Feet  
Area:                        Approximately 1.68 Acres  
Land Lot:                  11, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:                     Beulam Heights University  
Applicant:                Michael A. Haponski  
**NPU-W                                      Council District 1**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING (CONT'D)**

- 10-O-0649 ( 4)      An Ordinance by Zoning Committee granting a Special Use  
**U-10-14**              Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g), property located at **3056 Embry Way, SE**, fronting approximately 97 feet on the west side of Embry Way and approximately 55 feet on the south side of Alyson Court.
- |              |   |
|--------------|---|
| Depth:       | Varies  |
| Area:        | Approximately .0213 Acre                              |
| Land Lot:    | 62, 14 <sup>th</sup> District, Fulton County, Georgia |
| Owner:       | Amrose Filicia Tandongor                              |
| Applicant:   | Amrose Filicia Tandongor                              |
| <b>NPU-Z</b> | <b>Council District 12</b>                            |

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**REGULAR AGENDA**

**D. COMMUNICATIONS**

- 10-C-0606 ( 1)      A Communication by Councilmembers Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3-At Large re-appointing **Mr. David Coleman** to serve as a member of the Zoning Review Board. This re-appointment is for a term of two (2) years, scheduled to begin retroactive to 11-19-09.

**FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL**

- 10-C-0607 ( 2)      A Communication by Councilmembers Natalyn Archibong, District 5; Alex Wan, District 6 and Aaron Watson, Post 2 At-Large appointing **Ms. Bahareh Azizi** to serve as a member of the Zoning Review Board. This appointment is for a term of two years, scheduled to begin on the date of Council confirmation.

**FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL**

**HELD**

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

10-O-0035 ( 3)  
**U-09-22**      An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**  
Depth:      Varies  
Area:      Approximately 5.8 Acres  
Land Lot:    15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:      Charitable Connections, Inc.  
Applicant:   Charitable      Connections,      Inc./Michelle      R. Uchiyema

**NPU-H**

**Council District 10**

**HELD**

10-O-0031 ( 4)  
**U-09-17**      An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Personal Care Home pursuant to Section 16-08.005 (1)(f) for property located at **762 Bender Street, SW**, fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. **(Held 2/24/10 at the request of the Councilmember of the District)**  
Depth:      Varies  
Area:      Approximately 0.147 Acre  
Land Lot:    86, 14th District, Fulton County, Georgia  
Owner:      Deborah L. Turner  
Applicant:   Deborah L. Turner

**NPU-V**

**Council District 4**

**HELD**

10-O-0322 ( 5)  
**U-10-03**      An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-05.005 (l)(g) for a Personal Care Home, property located at **1681 Delowe Drive, SW**, fronting approximately 90 feet on the west side of Delowe Drive. **(Held 3/31/10) (Held at the request of the District Councilmember)**

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

Depth: Approximately 200 Feet  
Area: 0.41 Acre  
Land Lot: 185, 14<sup>th</sup> District, Fulton County, Georgia  
Applicant: Keisha D. Reed  
Owner: Daniel Reed

**NPU-R**

**Council District 11**

**Councilmember Lance Bottoms made a motion to file.  
The vote was unanimous.**

**FILE**

10-O-0336 ( 6)  
**Z-10-02**

An Ordinance by Zoning Committee to rezone from the RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, property located at **1017 Westview Drive, SW**, fronting approximately 328 feet on the northeasterly side of Westview Drive and approximately 275 feet on the east side of Agnes Jones Place and approximately 416.40 feet on the west side of Abbott Street. **(Held 4/28/10 for CDP legislation)**

Depth: Varies  
Area: 3.48 Acres  
Land Lot: 116, 14<sup>th</sup> District, Fulton County, Georgia  
Applicant: Rex Bray  
Owner: Columbia Plaza 1, LP

**NPU-T**

**Council District 4**


**HELD**

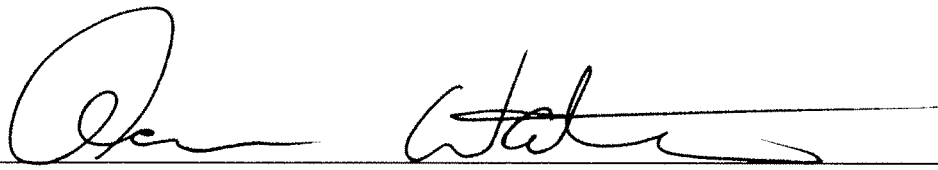
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 11:30 a.m.**

**Respectfully submitted:**

  
\_\_\_\_\_  
**Angela H. Campbell, Legislative Secretary**

  
\_\_\_\_\_  
**Alfred Berry, Jr., Research & Policy Analyst**

  
\_\_\_\_\_  
**The Honorable Aaron Watson, Chair**

**SUMMARY REPORT**  
**April 28, 2010**

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM</b>
<b><u>FAVORABLE ON SUBSTITUTE</u></b>						
10-O-0314	Z-10-01	SPL-11	Text Amendment to prohibit pawn shops	Approval of a substitute ordinance	NPU- K-approval NPU L-deferral NPU T-approval	Approval of a substitute ordinance
Councilmember Shook made a motion to approve on substitute. The vote was unanimous.						
<b><u>FAVORABLE</u></b>						
10-O-0391	Z-10-03	1199 Roxboro Drive, N.E. B-7	R-75 (DeKalb County) to R-3 (City of Atlanta)	Approval	Approval	Approval
Councilmember Shook made a motion to approve. The vote was unanimous.						
<b><u>FAVORABLE AS AMENDED</u></b>						
10-O-0323	U-10-04	1955 Monroe Drive, N.E. F-6	Special Use Permit for broadcasting tower for radio communication	Approval Conditional	Approval Conditional	Approval Conditional
10-O-0405	U-10-06	949 Confederate Avenue, N.E. W-1	Special Use Permit for increase in height for a broadcasting/cell tower	Approval Conditional	Approval	Approval Conditional
10-O-0025	Z-09-28	2867 Piedmont Road, N.E. B-7	RLC-C to RLC-C for a change of conditions	Approval Conditional	Approval Conditional	Approval Conditional
10-O-0045	Z-09-45	10 Moreland Avenue, N.E. and 1187 Hosea L. Williams Drive, N.E. O-5	R-4 and C-1 to C-1-C	Approval Conditional	Approval Conditional	Approval Conditional

Councilmember Shook made a motion to approve as amended on all above legislation.

**SUMMARY REPORT**  
April 28, 2010

<b>NO</b>	<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM</b>
<b>RECOMMENDATION</b>							
10-O-0321	U-10-02		168 Brownlee Road, S.W. H-10	Special Use Permit for a Personal Care Home	Approval Conditional	Denial	No Recommendati on (Tie Vote)

Councilmember Shook made a motion to file. The vote was unanimous.